

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

VICTOR C. VARGAS	§	
VS.	§	CIVIL ACTION NO. 1:19cv187
MS. PONZIO, ET AL.	§	

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Victor C. Vargas, an inmate formerly confined at the Federal Correctional Complex located in Beaumont, Texas, proceeding *pro se*, brought the above-styled lawsuit.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends granting the defendants' motion for summary judgment and dismissing this action.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.¹


¹ Plaintiff filed a motion for continuance, asserting he needed additional time to file his objections to the Report, if any. Plaintiff's motion was granted, and plaintiff was provided an additional twenty days in which to file his objections or a future notice he is unable to proceed. Plaintiff was warned that his failure to submit objections or a future notification he is unable to proceed with the prosecution of his case within twenty days from the date of the order may result in the dismissal of this action without further notice. As of this date, plaintiff has failed to submit either his objections or a notice he is unable to proceed.

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

ORDERED that the defendants' motion for summary judgment is **GRANTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED this the **20** day of **October, 2021**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", is written over a horizontal line.

Thad Heartfield
United States District Judge